

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SRI KANTHA, M.D., individually and in his capacity as trustee of the Medical Associates of Fort Lee, LLC defined Benefit Pension Plan and as trustee of the Fort Lee Medical Center, Inc. Defined Benefit Person Plan and on behalf of all those similarly situated,

Plaintiff(s),

v.

**PACIFIC LIFE INSURANCE COMPANY,
AMERICAN GENERAL LIFE INSURANCE
COMPANY and ARTHUR P. SHANKMAN &
CO., INC.,**

Defendants.

05-1626 (WJM)

ORDER

A Report and Recommendation was filed on August 25, 2005 finding that Plaintiff's complaint did not give rise to federal question jurisdiction generally or ERISA preemption specifically, and recommending that this civil action be remanded to the Superior Court of New Jersey. The parties submitted objections and responses pursuant to Local Civil Rule 72.1(c)(2). The Court having reviewed the parties' submissions; and having reviewed the Report and Recommendation *de novo*; and good cause appearing;

IT IS on this 19th day of October 2005, hereby

ORDERED that the Report and Recommendation of Magistrate Judge Ronald J. Hedges is adopted as the Opinion of this Court; and it is further

ORDERED that this matter be and hereby is remanded to the Superior Court of New Jersey.

s/ William J. Martini

William J. Martini, U.S.D.J.

cc: The Hon. Ronald J. Hedges, U.S.M.J.